IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 5TH DECEMBER 2007 / 14TH AGRAHAYANA 1929

WP(C).No. 34907 of 2007(E)

PETITIONER:

E.N.VENUGOPAL, INDIRA NIVAS (KAVITHA)
VALAMANGALAM NORTH, THRURAVOOR, CHERTHALA,
ALAPPUZHA DISTRICT.

BY ADV. SRI.C.S.ULLAS

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED BY ITS
CHIEF SECRETARY, GOVT. SECRETARIAT, TRIVANDRUM.

2. THE DISTRICT COLLECTOR, CIVIL STATION,
ALAPPUZHA.

3. THE TAHSILDAR, TALUK OFFICE,
CHERTHALA, ALLEPPEY DISTRICT.

4. THE VILLAGE OFFICER, THURAVOOR SOUTH,
THURAVOOR P.O., CHERTHALA.

BY GOVT. PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

W.P.(C) 34907 OF 2007

Dated: December 5, 2007

JUDGMENT

Petitioner submits that the building, the construction of which was completed in 1987, was assessed to building tax. It is submitted that at that time, in pursuance to Ext.P1 notice, Ext.P2 return was submitted and the assessment order is Ext.P3.

2. Subsequently following certain additions that were made to the building, he has been again assessed and demands are made as per Exts.P6 to P8. The case of the petitioner is that before Exts.P6 to P8 were issued, he was not given any notice nor was he afforded an opportunity of hearing as contemplated under the Act.

3. This submission of the petitioner stands unchallenged. In view of this, quashing Exts.P6 to P8, I dispose of the writ petition with a direction that the 3rd respondent shall complete the assessment with notice to the petitioner and after hearing him.

ANTONY DOMINIC, JUDGE

mt/-